

# Facility-Tenant Agreements

Los Alamos National Laboratory  
Laboratory Implementation Requirements LIR 250-02-02.9  
Issue Date: 7/5/97 (Revised September 27, 2001)

MANDATORY DOCUMENT

## 1.0 Introduction

**Lessons Learned** Note: [Click here](#) for Lessons Learned *that may apply* to the requirements contained in this LIR.

### 1.1 Overview

The Laboratory's Integrated Safety Management Plan requires the establishment of facility manager (FM)–tenant agreements at all facilities. These agreements shall communicate a mutual understanding of the safety interfaces, requirements, roles, responsibilities, and authorities by both facility managers and facility occupants.

Facility-tenant agreements shall be a joint responsibility of facility managers and tenant managers and this document is used by Facility Managers to permit work. The requirements in this document shall be implemented by active participation of both parties. Safety responsible line managers utilize the Safe Work Practices process to authorize the work that is to be performed.

This document implements portions of LPR 250-02-00, "Facility Partnership Agreements," in particular, performance criteria which have important safety implications.

Unless otherwise stated in the text, the contents of this document shall be effective upon the issue date, and facility tenant agreements revised or initiated after date of issue or revision of this document shall incorporate the requirements of this document.

### 1.2 In this Document

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## 2.0 Purpose

This LIR shall be followed to implement the performance criteria contained in LPR250-02-00.

## 3.0 Scope/Applicability

The requirements contained in this LIR shall apply to facility-tenant agreements at all facilities at the Laboratory. These requirements address only those portions of the facility-tenant agreement with safety implications; this document is not an exhaustive set of requirements for the complete agreement.

## 4.0 Definitions

**4.1** The following acronyms and abbreviations are used in this document.

### Acronyms

**DD**--division director

**FM**--facility manager

**FWO-CFS**--Construction & Facilities Service group

**SAR**--safety analysis report

**FSP**--facility safety plan

**FTA**--facility tenant agreement

### 4.2

### Terms

**facility-related work**—any combination of engineering, procurement, erection, installation, assembly, disassembly, or fabrication activities involved in creating a new facility or in maintaining, altering, adding to, decontaminating, decommissioning, or rehabilitating an existing facility. This includes construction and demolition work. FMs use tenant agreements to define the operating limits of persons and organizations using their facilities, including interface requirements.

**physical area of responsibility**—the facility manager's physical area of responsibility generally includes such structures and areas as the building and grounds, partitions between tenants, underground spaces, utility areas, electrical and mechanical rooms, and other similar areas to a given facility.

The tenant's physical area of responsibility generally includes process, experimental, and operational equipment; operational processes; interior space occupied by the tenant; and other areas to a given facility or operation.

**tenant**—an individual or organization that occupies space and/or has activities that fall under a safety-responsible line management chain.

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## 5.0 Implementation Requirements

Facility managers and tenant managers shall complete facility-tenant agreements that satisfy the requirements in Sec. 5.1.

The Construction & Facility Service group (FWO-CFS) shall manage the dispute resolution process outlined in Sec. 5.2.

The facility-tenant agreements shall address tenant operations, and the safe work practices LIR (LIR 300-01-01) provides documentation of those operations at the time the agreement is written.

At a minimum, facility-tenant agreements shall be concluded at the Group level. FACILITY-TENANT AGREEMENTS at the subgroup level shall be a mutual agreement between the group leader and the FM.

Facility Tenant Agreements shall be completed with all tenants with the following exceptions:

PTLA – As an organization, PTLA does not require a tenant agreement. Facility Managers shall deal with S Division for PTLA occupied space.

JCNNM – All requirements for JCNNM are covered under their contract with the UC and consequently do not require tenant agreements.

Utilities and Infrastructure (U&I) – No tenant agreement is required; at the option of U&I, an interface agreement for services may be initiated.

LEASED SPACE—Normal operations are covered under the safe work practices LIR for which the safety- and environment-responsible line-management chain has responsibility. The lease contract is an agreement between the Laboratory and the commercial lease property owner. The facility manager shall have the discretion to require a facility-tenant agreement; for example, when significant Laboratory programmatic equipment is installed or operations take place for which the landlord has no responsibility.

SUBCONTRACT/DEPLOYED PERSONNEL – These are covered by cognizant managers of the organization to which the individuals are permanently assigned and do not require separate agreements.

FIRE STATIONS – Fire Stations not transferred to the Los Alamos County shall be covered by a tenant agreement between EM&R (S-8) and the affected facility manager.

### 5.1 Content of Facility- Tenant Agreements

The following sections list items that shall be incorporated into any facility-tenant agreement. Nuclear facilities and accelerators may require additional items in the tenant agreement such as incorporation of an Unreviewed Safety Question/ Unreviewed Safety Issue (USQD/USI) process; thus additional requirements shall be negotiated between the Facility Managers and the Tenant(s) manager.

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**5.1.1. Roles, Responsibilities, and Authorities of the Facility Manager.** The facility manager shall:

- act as the agent for the owning division director, representing the owning Division Director's responsibilities and authority;
- maintain the physical assets (such as building support systems) inside the FM's physical area of responsibility;
- authorize all facility-related work within the facility boundary as defined in section 4.2
- concur with all changes in tenant operations or configuration that could adversely affect other tenants or the physical facility;
- concur with changes in tenant operations that are outside the scope of approved work or that could violate this agreement or possibly change the established facility operating limits and keep the tenant managers apprised of changes to the overall facility operating limits. In the case of changes in tenant operations occurring in multi-tenant facilities, the FM shall ensure that tenants are aware of each other's nearby activities and hazards;
- maintain the overall facility and operating limits agreements such as the Safety Analysis Report (SAR);
- have the authority to review and monitor tenant operations to determine if they meet the FSP/FTA requirements
- correct or shut down facility or tenant operations or activities that violate the facility-tenant agreement, affect safety of the facility or create the potential for adverse effects on co-tenants, their operations or property;
- determine those procedures that require consistent application in the facility in order to stay within the facility operating limits;
- perform activities inside the FM's physical area of responsibility, according to all approved work activity documents, applicable laws, contract agreements, Laboratory requirements, and the facility-tenant agreement;
- define and document facility capability limits;
- define and document a brief description of the facility management organization and the services they provide;
- define and document the methodology used for determining the cost of provided services, the services to be provided, and the financial commitments of tenants for the provided services;
- in coordination with the tenant manager, define and document the amount of rigor to be applied to assure that Laboratory work spaces are managed and maintained in a safe and work ready condition prior to occupancy when vacated (refer to LIR 250-02-01); and
- in coordination with the tenant manager, ensure, agree, and state in the final agreement that resources will be negotiated to ensure mitigation of known life-threatening hazards and potential for major environmental contamination incidents. In the event that life-threatening hazards or the potential for major environmental contamination incidents are found, work shall be stopped, compensatory measures put into place, and, as a minimum, actions taken to reduce the hazard or potential for contamination below the life-threatening or serious level.

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The facility manager shall *not*

- authorize work that is performed inside the tenant's physical area of responsibility that exceeds or increases the risk of exceeding the established tenant operating limits or facility operating limits in the facility-tenant agreement; or
- be responsible for the consequences of unapproved tenant activity contrary to commitments established in the facility-tenant agreement.

*Site Access Control.* The FM shall use the facility-tenant agreement, or alternative, to do the following:

- identify general facility access requirements for tenants and visitors;
- identify requirement, if any for site-specific training, and process for receiving/providing that training;
- identify negotiated authorization to use knowledgeable escorts in lieu of site-specific training;
- identify access control requirements that must be followed by tenant service contractors for programmatic equipment;
- identify process by which FM (or designee) is notified by tenants of work performed during other than "normal" working hours (may be a blanket approval at FM's discretion), with "normal" as defined by FM; and
- require that any new mail or package drops, or vending machine placements, and the routes to them be approved by FM (and advise vending machine operators that no servicing or maintenance on the machine itself may be performed within the facility).

## **5.1.2 Roles, Responsibilities, and Authorities of the Tenant.** The tenant shall:

- define the tenant work activities, perform necessary hazard analysis, and establish operating limits and procedures for the tenant's work to ensure that their activities create no potential for adverse effects on co-tenants, their operations or property.
- define authorized inventory of hazardous materials as an operating limit.
- own and maintain the physical assets inside the tenant's physical area of responsibility.
- concur with all changes to the facility limits that affect tenant operations and inform the facility manager of changes affecting the operating envelope.
- perform activities within the tenant's physical area of responsibility, according to all approved work activity documents, applicable laws, contract agreements, Laboratory requirements, and the facility-tenant agreement in accordance with safety envelope as defined in the Facility Safety Plan.
- assure that all tenant employees are trained and qualified for the access they require and the work they perform.
- assure day-to-day physical and operational security for their areas of responsibility.
- provide submaster keys or combinations to locks to the FM for the tenant's areas of responsibility.

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- follow facility-specific requirements and ensure that all work within the tenant's physical area of responsibility receives required safety reviews prior to approval by
  - notifying the facility manager when a stop work order is issued,
  - complying with all requirements of the operating limits,
  - notifying the facility manager when an incident occurs, and
  - allowing the facility manager to monitor their processes.
- define and document tenant operating and inventory limits.
- in coordination with the facility manager, ensure, agree, and state in the final agreement that resources will be negotiated to ensure mitigation of known life-threatening hazards and potential for major environmental contamination incidents. In the event that life-threatening hazards or the potential for major environmental contamination incidents are found, work shall be stopped, compensatory measures put into place, and, as a minimum, actions taken to reduce the hazard or potential for contamination below the life-threatening or serious level.
- in coordination with the facility manager, define and document the amount of rigor to be applied to assure that Laboratory work spaces are properly managed and maintained in a safe and work ready condition prior to occupancy when vacated (refer to LIR 250-02-01).
- be responsible for cranes and hoists that are not permanently installed and can be moved from one location to another. This definition shall include wheeled gantry cranes, shop cranes, and units that are an integral part of an experiment or process such as cranes attached to experimental equipment. The owning tenant manager must designate an individual to provide custodial responsibility for all lifting devices assigned to the tenant. Responsibility for "gray area" equipment that cannot be resolved between the FM and the tenant shall be resolved by the owning division director.

The tenant shall *not*

- approve work that is performed outside the tenant's physical area of responsibility; or
- authorize approval of work that exceeds, or increases the risk of exceeding, the tenant or facility operating limits.

## **5.1.3 Roles, Responsibilities and Authorities of Line Managers (Group Leaders and above).** The Line manager shall

- periodically review operations to ensure they are within the facility controls defined in the facility safety plan and/or the facility tenant agreement.
- exercise oversight of and responsibility for the organization's guests or visitors.

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## **5.2 Dispute Resolution Process**

The following process shall be used to resolve disputes that arise between the facility manager and tenant manager, either in drafting the agreement or after the agreement is in place and will follow the safety and environmental responsible line management chain as defined in the ISM system description document

Step	Action
1	Either the tenant manager or the FM shall initiate the process by notifying FWO-CFS of an unresolved dispute.
2	Within 10 working days of the notification, FWO-CFS shall refer the dispute to the FM's DD and the tenant's DD.
3	Within 10 working days, the DDs shall resolve the dispute or notify FWO-CFS that arbitration by the safety and environment responsible line manager as defined in the ISM system description document is required.
4	FWO-CFS shall refer the dispute up to the safety and environment responsible line manager as defined in the ISM system description document to resolve the dispute.

## **6.0 Documentation**

The facility-tenant agreement shall be documented in writing, signed by the facility manager and the tenant manager. Copies of the facility-tenant agreement shall be distributed to all tenant organizations under the cognizance of the safety and environment-responsible line management chain, and retained in the facility manager and group offices.

The facility-tenant agreement shall be reviewed annually and updated, if required. The review shall be documented as an addendum to the agreement.

## **7.0 References**

### **7.1 Document Ownership**

This document shall be owned and maintained by the Construction and Facilities Service Group (FWO-FWO-CFS), 7-1262.

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## **7.2**

### **Documents**

“Facility Partnership Agreements,” Los Alamos National Laboratory Performance Requirements document LPR 250-02-00.

“Facility Management Work Control,” Los Alamos National Laboratory Implementation Requirements document LIR 230-03-01.

“Laboratory Facility Management Program” Los Alamos National Laboratory Implementation Requirements document LIR 280-02-01.

“Facility Safety Plans,” Los Alamos National Laboratory Implementation Guidance document LIG 240-01-10.

“Facility and Operating Limits and Configuration,” Los Alamos National Laboratory Performance Requirements document LPR 240-01-00.

“Occupying or Vacating Workspace,” Los Alamos National Laboratory Implementation Requirements document LIR 250-02-01.

“Safe Work Practices,” Los Alamos National Laboratory Implementation Requirements document LIR 300-00-01.

"Facility Hazard Categorization," Los Alamos National Laboratory Implementation Requirements document LIR 300-00-05.

"Nuclear Facility Safety Authorization," Los Alamos National Laboratory Implementation Requirements document LIR 300-00-06.

"Non Nuclear Facility Safety Authorization," Los Alamos National Laboratory Implementation Requirements document LIR 300-00-07.



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## Guidance

### Attachment 5

## Recommended Major Implementation Criteria for Self-Assessment

(Non-Mandatory)

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The major implementation criteria listed below are provided to assist Laboratory organizations assess their implementation of this LIR. These criteria provide an objective basis for self-assessing implementation of the major requirements contained in the LIR. The LIR also states requirements in other areas, such as, scope, precautions, and responsibilities that, when applied, complement the successful implementation of these major requirements.

1. **The most important criterion for assessing the implementation status of the revision to this LIR should be, if applicable: Have the requirements contained in the LIR been communicated to the individual(s) responsible for authoring the Facility-Tenant Agreement?**
2. **In addition, the recommended major implementation criteria for self-assessment of revisions to this LIR are the following:**
  - **The FM is to keep the tenant manager apprised of changes to the overall facility operating limits.**
  - **The FM in coordination with the tenant manager is to define and document the amount of rigor to be applied to assure that Laboratory work spaces are properly managed and maintained in a safe and work ready condition prior to occupancy, when vacated.**
  - **The tenant is to define the authorized inventory of hazardous materials as an operating limit.**
  - **Facility-Tenant Agreements should be reviewed and updated, if required, on an annual basis.**
  - **The responsibility for operations and maintenance of all cranes, lifts, and hoists has been documented in the agreement.**
  - **The safety and environment-responsible line manager shall periodically review activities to ensure they are within the facility controls defined in the facility safety plan and/or the facility tenant agreement.**
  - **Neighboring tenants are aware of each other's work and hazards and ensure that collectively the activities do not compromise facility safety envelope.**